

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

FAIR ISAAC CORPORATION, a ) Case No. 16-cv-1054 (WMW/DTS)  
Delaware corporation, )  
)   
Plaintiff, )   
) **Jury Trial Demanded**  
v. )   
)   
FEDERAL INSURANCE COMPANY, )   
an Indiana corporation and ACE )   
AMERICAN INSURANCE COMPANY, )   
a Pennsylvania corporation, )   
)   
Defendants. )   
)

**DECLARATION OF HEATHER KLIEBENSTEIN IN SUPPORT OF  
PLAINTIFF’S OPPOSITION TO DEFENDANTS’ MOTION TO AMEND  
SCHEDULING ORDER**

I, Heather Kliebenstein, declare as follows:

1. I am a shareholder with Merchant & Gould P.C., and I am one of the attorneys of record for Plaintiff Fair Isaac Corporation in the above captioned matter.

2. I make this Declaration on my own information, knowledge, and belief in support of Plaintiff's Opposition to Defendants' Motion to Amend Scheduling Order.

3. Attached hereto as Exhibit 1 is a true and correct copy of Federal Insurance Company's Response to Plaintiff's First Set of Requests for Admission served on May 11, 2017.

4. Attached hereto as Exhibit 2 is a true and correct copy of an excerpt of the August 2, 2018 Rule 30(b)(6) Deposition of John Taylor. This excerpt is filed UNDER SEAL.

5. Attached hereto as Exhibit 3 is a true and correct copy of Defendants' Ninth Supplemental Answer to Interrogatory No. 17 served September 24, 2020.

6. Attached hereto as Exhibit 4 is a true and correct copy of an excerpt of the November 11, 2021 deposition of Jean-Luc Marce. This document is filed UNDER SEAL.

7. Attached hereto as Exhibit 5 is a true and correct copy of Plaintiff Fair Isaac Corporation's Fourth Supplemental Initial Disclosures served on March 15, 2019.

8. Attached hereto as Exhibit 6 is a true and correct copy of Plaintiff Fair Isaac Corporation's Fifth Supplemental Initial Disclosures served on June 15, 2021.

9. Attached hereto as Exhibit 7 is a true and correct copy of a document used as Exhibit 610 to the Jean-Luc Marce deposition on November 11, 2021. This excerpt is filed UNDER SEAL.

10. Attached hereto as Exhibit 8 is a true and correct copy of Plaintiff Fair Isaac Corporation's Second Amended Second Notice of Deposition Under Fed. R. Civ. P. 30(b)(6) of Federal Insurance Co. and ACE American Insurance Co. served January 16, 2019.

11. Attached hereto as Exhibit 9 is a true and correct copy of a document used as Exhibit 575 in the April 23, 2020 deposition of Chase McCarthy. This document is filed UNDER SEAL.

12. Attached hereto as Exhibit 10 is a true and correct copy of a document used as Exhibit 156 in the November 13, 2018 deposition of Ramesh Pandey. This document is filed UNDER SEAL.

13. Attached hereto as Exhibit 11 is a true and correct copy of a document used as Exhibit 158 in the November 13, 2018 deposition of Ramesh Pandey. This document is filed UNDER SEAL.

14. Attached hereto as Exhibit 12 is a true and correct copy of Plaintiff Fair Isaac Corporation's Second Set of Interrogatories to Defendant Federal Insurance Company (15-21) served on December 29, 2017.

15. Attached hereto as Exhibit 13 is a true and correct copy of Plaintiff Fair Isaac Corporation's Second Set of Requests for Production of Documents to Defendant Federal Insurance Company served on December 29, 2017.

16. Attached hereto as Exhibit 14 is a true and correct copy of Federal Insurance Company's Second Supplemental Answer to Interrogatory No. 6 and Supplemental Answer to Interrogatory No. 21 served on June 7, 2018.

17. Attached hereto as Exhibit 15 is a true and correct copy of an excerpt of Federal Insurance Company's Supplemental Response to Plaintiff's Requests for Production of Documents Nos. 30-32 and 55-71 served on June 7, 2018.

18. Attached hereto as Exhibit 16 is a true and correct copy of Plaintiff Fair Isaac Corporation's First Supplemental Initial Disclosures served on June 6, 2017.

I declare under the penalty of perjury of the laws of the United States that the foregoing is true and correct.

Dated: January 6, 2022

/s/ Heather Kliebenstein  
Heather Kliebenstein